

Message Text

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ACTION DLOS-04

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CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00

H-02 INR-07 INT-05 IO-11 JUSE-00 L-03 NSAE-00 NSC-05

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C O N F I D E N T I A L JIDDA 1998

E.O. 11652: GDS

TAGS: PLOS, SA

SUBJECT: LAW OF THE SEA CONFERENCE

REF: STATE 54588

1. ON MARCH 10 THE AMBASSADOR DISCUSSED WITH FONMIN PRINCE SAUD IN GENERAL FASHION THE CURRENT LAW OF THE SEA CONFERENCE, EMPHASIZING THE IMPORTANCE WHICH THE USG ATTACHES TO MAKING MAJOR AND DECISIVE PROGRESS TOWARDS A FINAL TREATY AT THIS SESSION. AMBASSADOR LEFT WITH PRINCE SAUD AN AIDE MEMOIRE BASED ON REFTEL WHICH THE FONMIN READ IN THE AMBASSADOR'S PRESENCE. PRINCE SAUD SAID THAT HE DID NOT BELIEVE THAT THERE WERE ANY MAJOR LOS ISSUES SEPARATING THE US AND SAUDI ARABIA. HE SAID THAT HE AGREED ON THE NEED FOR PROGRESS AT THE CURRENT SESSION AND THAT HE WOULD INSTRUCT THE CHIEF FOREIGN MINISTRY DELEGATE TO THE CONFERENCE, MOHAMMED OMAR MADANI, TO GET IN TOUCH WITH THE US DELEGATION SOON AFTER HIS ARRIVAL AND TO COORDINATE WITH IT.

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2. ON MARCH 17 WE MET WITH MADANI (WHOSE DEPARTURE FOR THE US HAD BEEN DELAYED BY FAMILY PROBLEMS. HE NOW PLANS TO ARRIVE IN NEW YORK MARCH 18). FOR THIS SESSION MADANI WILL BE THE EFFECTIVE HEAD OF THE SAUDI DELEGATION, THOUGH SAUDI PERMREP BAROODY WILL BE THE NOMINAL CHIEF. MADANI SAID WITH A CERTAIN GRIMNESS THAT THIS TIME BAROODY HAS INSTRUCTIONS AND THAT HE (MADANI) WILL BE DOING THE ACTUAL NEGOTIATING. (HE NOTED PARANTHETICALLY THAT BAROODY'S FREE-WHEELING DAYS OF GETTING GENERAL INSTRUCTIONS FROM THE KING AND THEN IGNORING THE FOREIGN MINISTRY ARE OVER. HE WILL HENCEFORTH BE GETTING INSTRUCTIONS ON ALL MAJOR ISSUES FROM THE FOREIGN MINISTRY.)

3. BY WAY OF GENERAL COMMENT MADANI SAID THAT HE AGREED WITH THE US ON THE NEED FOR A MAJOR PUSH AT THE PRESENT SESSION. (HE SAID FONMIN SAUD HAD ALSO STATED THIS VIEW IN PASSING ON TO HIM OUR AIDE MEMOIRE). HE SAID THAT HE WAS NOT OPTIMISTIC THAT ALL THE LOOSE ENDS COULD BE WRAPPED UP AT THE CURRENT SESSION; TOO MANY COUNTRIES NOW GET NOTHING DIRECTLY FROM THE SEA AND THEREFORE HAVE NOTHING TO LOSE BY MAINTAINING MAXIMUM POSITIONS. HE WAS MORE OPTIMISTIC THAT A SECOND SESSION LATER THIS YEAR COULD COME UP WITH A GENERALLY ACCEPTABLE TREATY.

4. MADANI IDENTIFIED THE STRAITS QUESTION AS THE MAJOR ISSUE FOR SAUDI ARABIA AND ONE ON WHICH IT IS IN SOME DISAGREEMENT WITH THE US AND IN MAJOR DISAGREEMENT WITH THE MAJORITY OF ITS FELLOW ARAB LEAGUE MEMBERS. MADANI SAID HE WAS HOPEFUL THAT THE DISAGREEMENT WITH THE US, WHICH REVOLVES AROUND THE SAUDI DISTINCTION BETWEEN STRAITS CONNECTING OPEN SEAS AND STRAITS CONNECTING AN OPEN WITH A CLOSED SEA, COULD BE RESOLVED BY THE ARTFUL USE OF LANGUAGE. THE DISAGREEMENT WITH MOST FELLOW ARAB STATES IS MORE BASIC. THE SAG IS FIRMLY COMMITTED TO THE CONCEPT OF FREEDOM OF PASSAGE THROUGH STRAITS, WHILE MOST OTHER ARAB STATES, LED BY EGYPT AND MOROCCO, ARE COMMITTED TO INNOCENT PASSAGE. HE SAID THAT HE HAD RECENTLY DONE SOME VERY FORCEFUL ARGUING WITH THE EGYPTIANS AND OTHERS BUT HAD BEEN UNABLE TO BUDGE THEM FROM WHAT HE FELT TO BE A SHORTSIGHTED POSITION WHICH DID NOT EVEN TAKE INTO CONSIDERATION THE REALLY MAJOR INTERESTS OF THE ARAB STATES, PARTICULARLY THE OIL EXPORTERS. THE SAUDI POSITION ON THIS ISSUE IS FIRM; THE SAG IS PREPARED TO BREAK RANKS WITH THE ARAB LEAGUE OVER

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IT. THE SAG WILL SIGN A LOS TREATY WHICH DOES NOT CONTAIN FREEDOM OF PASSAGE IN STRAITS LANGUAGE ONLY IF IT IS ABLE TO EXPRESS ITS RESERVATIONS IN THE TREATY. IF THIS IS NOT POSSIBLE, THE SAG DELEGATION WILL "PACK ITS BAGS AND GO HOME." MADANI SAID THAT THE SAG HAD BEEN ABLE TO LINE UP QATAR AND ABU DHABI IN SUPPORT OF ITS POSITION AND THAT HE INTENDS TO PRESS HARD ON THE SUDANESE WHO SEEM UNDECIDED.

4. MADANI SAID THAT HE LOOKS FORWARD TO SEEING HIS FRIENDS
AND COLLEAGUES ON THE US DELEGATION AND THAT HE WILL BE
IN CLOSE CONTACT WITH THEM.
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